IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE NINTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

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WRIT PETITION NO : 4527 of 2005

Between:

Bandi Sarada Devi D/o. B.V. Rama Rao, Unemployee,
R/o. H.No. 1.39.35, Puttavari Street, Najarpet Tenali, Guntur District.

..... PETITIONER

AND

1 The Secretary, Board of Secondary Education, (SSC) Chapel Road, Hyderabad.

2 The Commissioner and Director of School Education, Andhra Pradesh, Hyderabad.

3 The District Educational Officer, Guntur, Guntur District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction more particularly one in nature of Writ of Mandamus directing the respondents to correct the name of the petitioner as Bandy Sarada Devi instead of Bandy Sarada in the SSC certificate as per proposals submitted by the concerned authorities and the necessary report submitted by the competent authority dt. 3-11-2004, by holding the action of the respondents in not taking any action to correct the name of the petitioner in SSC certificate in the guise of correspondence between the respondents is illegal, arbitrary, discriminatory, and oppose to all principles of equity, justice and fair play.

Counsel for the Petitioner : MR.CH.JAGANNADHA RAO

Counsel for the Respondent Nos.1 to 3: GP FOR EDUCATION

The Court, at the stage of admission, made the following :

ORDER:

The petitioner appeared in the S.S.C., examination conducted by the Board of Secondary Education, 1st respondent, in April 1981 from S.M. Government Junior College for Girls, Baptla. In the S.S.C., certificate issued to her, her name was shown as Bandi Sarada instead of Bandi Sarada Devi. She made a representation to the respondents for making necessary corrections. On receipt of the application, the 3rd respondent, District Educational Officer, Guntur, directed the Deputy Educational Officer, Bapatla, to undertake necessary enquiry into the matter. The Deputy Educational Officer, in turn, submitted a report/proceedings dated 03.11.2004, after verification of the record. He took the view that the name of the petitioner was wrongly typed in the S.S.C., certificate and that the same needs to be corrected. Petitioner states that though several months have elapsed, no action has been taken thereon.

Heard the learned counsel for the petitioner and the learned Government Pleader for School Education.

The S.S.C., examinations are conducted by the 1st respondent. In the certificate issued to the petitioner her name was shown as Bandi Sarada instead of Bandi Sarada Devi. The application submitted by her was processed and ultimately the Deputy Educational Officer, Bapatla, recorded a finding that the mistake is not attributable to the petitioner and it occurred while typing the name in the S.S.C. certificate. He also recommended for necessary corrections. A perusal of the proceedings, dated 09.11.2004, issued by the Commissioner and Director of School Education, 2nd respondent, discloses that the 3rd respondent is conferred with the

power to make corrections, in relation to the names, surnames and names of parents of the candidates in the S.S.C. certificates. If the same circular holds the field, the 3rd respondent is empowered to make the corrections. On the other hand, if the power vests with the 1st respondent, the corrections have to be made at his level. Either way, there does not exist any justification to keep the application of the petitioner for such a long time.

Hence, the writ petition is disposed of directing the respondents 1 and 3 to make necessary correction as to the name of the petitioner in the S.S.C., certificate, within a period of two weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

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(L.NARASIMHA REDDY,J)

Date: 09-03-2005

Note: Office to issue c.c.

in three days.

(B/o.)

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To

1 The Secretary, Board of Secondary Education, (SSC) Chapel Road, Hyderabad.

2 The Commissioner and Director of School Education, Andhra Pradesh, Hyderabad.

3 The District Educational Officer, Guntur, Guntur District.

4 Two C.Cs. to the Government Pleader for Education, High Court of A.P., Hyderabad. (O.U.T.)

5 Two C.D. copies.